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IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

2021 JUN -4 A 9:50

Joshua Patrick Alexander

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Full name and prison name of
Plaintiff(s)

v.

G. WHITLEY

M. SILER

Name of person(s) who violated your
constitutional rights. (List the names
of all the person.)

CIVIL ACTION NO. 2:21-cv-00305-WHA
(To be supplied by Clerk of U.S. District
Court)

AMENDED COMPLAINT

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES No

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES NO

C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county)

3. Docket number _____
4. Name of judge to whom case was assigned _____
5. Disposition (for example: was the case dismissed? Was it appealed? Is it still pending?) _____
6. Approximate date of filing lawsuit _____
7. Approximate date of disposition _____

II. PLACE OF PRESENT CONFINEMENT M.E. Donaldson Correctional Facility
PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Ventress Correctional Facility

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
<u>G. WHITLEY</u>	<u>Ventress Correctional Facility, 379 Highway 239 N, Clayton, Al. 36016</u>
<u>M. SILER</u>	<u>Ventress Correctional Facility, 379 Highway 239 N.</u>
	<u>Clayton, Al. 36016</u>
6.	

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED OCT. 12. 2020

AT 11:00 P.M. and again a HOUR LATER AT

12:00 a.m. OCT. 13. 2020

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Excessive use of Force, And
Cruel and Unusual Punishment.

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

ON OCT 12, 2020, AT 11:00 PM, WHILE INCARCERATED AT VENTRESS CORRECTIONAL FACILITY, I THE PLAINTIFF WAS IN D-DORM WHEN WAS WOKED UP BY OFFICER SANDERS FOR A SHAKEDOWN.
THE OFFICER ASKED THE PLAINTIFF TO STEP GROUND TWO: OUTSIDE OF THE DORM INTO THE BARBERSHOP, ANOTHER OFFICER CAME WITH HIM BY THE NAME OFFICER SILER, THE SUPPORTING FACTS: PLAINTIFF WAS STRIPPED SEARCHED AND A CELL PHONE WAS DISCOVERED, AFTER THE OFFICERS RETRIEVED THE PHONE, PLAINTIFF WAS TOLD TO GET DRESSED AND GO BACK INTO THE DORM, STATED BY OFFICER SANDERS. OFFICER SILER HAD STOPPED ME AND TOLD THE PLAINTIFF GROUND THREE: TO STEP OUTSIDE ON THE PORCH, WHILE BEING ESCORTED OUT ON THE PORCH, OFFICER SANDERS IN FRONT, OFFICER SILER SUPPORTING FACTS: WAS IN THE BACK OF THE PLAINTIFF, HE OFFICER SILER HAD SUCKER PUNCHED THE PLAINTIFF FROM THE SIDE, KNOCKING THE VISION OUT OF THE PLAINTIFFS RIGHT EYE.
PLAINTIFF HAD ASKED WHY DID HE HIT PLAINTIFF ALEXANDER? THE OFFICER STATED BACK, DID I WANTED SOME STRAIGHTENING.. I TOLD HIM

That I couldn't see. The Plaintiff was told to go back to the dorm. Plaintiff had told LT. WHITLEY, who was still conducting shakedowns, about what had happened, and he laughed. I the Plaintiff waited until the officers were done and asked the officer who was in the cubicle, if I could go to the health care for medical treatment. The officer allowed THE Plaintiff to go to health care, where the Plaintiff received antibiotic eye drops and steroid drops. Because the eye ball had been damaged. Plaintiff had received a body chart and specifically stated that Officer SILER had assaulted me for nothing. After midnight, dated the 13th. of Oct. I the Plaintiff went to F-Dorm on the way to breakfast. F-Dorm has 32 cameras and at that time, was the ONLY dorm with cameras inside the prison. Officer SILER was in that dorm. I told Officer

SILER, THAT HE ASSAULTED me OUTSIDE IN THE DARK, THAT HE MIGHTEST WELL KILL me ON Camera. LT. WHITLEY Came UP AND DREW HIS STICK AGGRESSIVELY approaching me, I RETRACTED INTO THE DORM BEING FOLLOWED BY OFFICER SILER AND LT. WHITLEY, I WAS SPRAYED WITH OVER 5 CANS OF CHEMICAL SPRAY, I THEN PASSED OUT ON THE FLOOR SUBDUEd AND TURNED OVER ON MY STOMACH IN a DEFENSELESS POSITION, OFFICER SILER, AND LT. WHITLEY KICKED AND BEAT THE PLAINTIFF IN THE HEAD WITH THEIR STEEL BATONS WHILE THE PLAINTIFF WAS STILL IN a DEFENSELESS POSITION, THIS BRUTALITY had CAUSED OTHER INMATES TO JUMP ON TOP OF THE PLAINTIFFS BODY TO STOP THE OFFICERS FROM KILLING THE PLAINTIFF WHILE RESTRAINED IN HAND CUFFS TO THE BACK, BEING ESCORTED OUT BY LT. WHITLEY AND OFFICER SILER, THEREOF

OFFICER SILER AGAIN HIT THE PLAINTIFF IN THE FACE WITH 2 HANDS IN THE HALLWAY OF F-DORM WITH A CAMERA BEING RIGHT THERE. AS A RESULT, THOSE ASSAULTS HAS CAUSED MANY DAMAGES THAT THE PLAINTIFF HAS NOT RECOVERED FROM, INCLUDING MENTAL ILLNESS. THEREFORE ON GOING EYE EXAMINATIONS ARE NEEDED. CAUSING THE PLAINTIFF TO HAVE TO PAY FOR THOSE EXAMINATIONS THROUGH MEDICAL CO-PAYMENTS.

SUPPORTING FACTS: THE PLAINTIFF SIGNIFICANT INJURIES TO HIS RIGHT EYE, HEAD, AND MENTAL ILLNESS. SUPPORT'S IMPORTANT ISSUE'S UNDER THE EIGHTH AMENDMENT, STATING THAT WHEN IT IS NOT APPLIED IN A GOOD FAITH EFFORT TO MAINTAIN OR RESTORE DISCIPLINE, BUT IS USED TO MALICIOUSLY AND SADISTICALLY TO CAUSE HARM. SEE, SUPREME COURT CASE ~~HUDSON~~ ~~HUDSON~~ VS. McMILLIAN, 503 U.S. 1 (1992)

PLAINTIFF Show That Both Defendant's Unreasonably Disregarded an excessive Risk To The Plaintiffs Safety, Where To Their Actions Under Color of State Law Violated Prison Policy.

against Defendant LT. G. WHITLEY, Plaintiff Seek \$25,000 IN PUNITIVE DAMAGES IN The Defendant's Individual capacity \$25,000 IN COMPENSATORY DAMAGES AND \$25,000 IN MENTAL DISTRESS DAMAGES

against Defendant SILER, The Plaintiff Seek \$25,000 IN PUNITIVE DAMAGES, \$25,000 IN COMPENSATORY DAMAGES, AND \$25,000 IN MENTAL DISTRESS DAMAGES.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

Move The case upon a Date

To Go Before a Jury To

Consider The ENTITLED Trial

Joshua Alexander
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-28-2021
(Date)

Joshua Alexander
Signature of plaintiff(s)

Prison #

262945